

## WITNESSES TELL NEW DETAILS OF THE BAILEY TRAGEDY

(Continued from First Page.)

"It is my intention only to tell you the facts as they are known to me and to withhold from you nothing pertinent to a fair, straightforward understanding of the facts of the crime."

"On June 30 there lived in the town of Hempstead a woman, Mrs. Lulu B. Bailey. She was in the flower of womanhood, a beautiful woman. She went to visit a friend in Freeport, and did visit her, leaving the friend's house early in the evening, presumably to go to her home. But she was seen in Freeport going toward Dr. Carman's house at about 7 o'clock."

Mr. Smith then entered into a minute description of the Carman house, the grounds surrounding it and the doctor's office with its furniture, windows and door.

"In the house at the time of the crime were the defendant, her mother, Mrs. Conklin, her daughter Elizabeth, her sister, Mrs. Ida Powell, and Celia Coleman, a colored maid."

"Mrs. Bailey arrived at the office between 7:30 and 7:45. She started to leave the office about 7:45 when there was a crash at the north window of the doctor's office and she fell to the floor with a bullet in her chest. It penetrated her right shoulder and lodged in the left breast, severing the aorta and causing her death within a short time."

**BODY LIFTED FROM FLOOR TO COUCH.**

"The position of the deceased's body was on the floor of the southwest corner of the office, near the operating chair which has been described. It was removed to the leather couch before any outside persons arrived."

Mr. Smith described with minute detail the window through which the fatal shot was fired, the broken pane, the glass which had fallen inside, and laid emphasis on the fact that the staple and hook fastening the window screen had not been wrenched apart violently but had been unhooked, presumably from inside the room.

"The maid, Celia Coleman, was in the kitchen at the time of the shooting, washing the dishes. The kitchen adjoining the doctor's office," continued Mr. Smith, "we shall show that this defendant just before the shooting passed through the kitchen and out of the house, and that after the shooting she re-entered the house through the kitchen, coming from the yard."

"We shall show the motive for the firing of the shot was the jealousy and suspicion toward her husband of Mrs. Carman. We shall show that no another occasion only a few days before Mrs. Carman went secretly to that same window and observed the conversation of her husband with a lady and thereafter entered the doctor's office and slapped the face of the visitor and the face of Dr. Carman and violently demanded that the visitor hand to her a sum of money received by her from Dr. Carman."

Mr. Smith then directed the attention of the jury to Mrs. Carman's employment of the dictograph. He told them of her visit to the company in New York, where she represented herself as a dressmaker who was being robbed by her employees and wished to detect them.

**SAYS WOMAN TORE OUT DICTOGRAPH WIRES.**

"We shall also show that on the day after the murder Mrs. Carman arose before the rest of the household was up—before she was accused, or before, we may say, she was suspected—she tore out the dictograph instruments and hid them under some boards at the head of the attic stairs."

"We shall show you that in the day after the murder Mr. Levy, of Mrs. Carman's counsel, went to the colored maid, Celia Coleman, and bought her not to repeat a word of what she had seen or heard in the Carman house that night. This was after Mr. Levy had had a talk with Mrs. Carman."

"We will show you that Mr. Levy instructed this servant as to what she should tell if she was questioned about the murder. We shall show, I repeat in conclusion, that Mrs. Lulu B. Bailey came to her death by a shot fired deliberately and with murderous intent by Mrs. Florence Carman and that the motive of the shooting was jealousy."

Mr. Graham of Mrs. Carman's counsel was at once on his feet with an objection to Mr. Smith's statement regarding Mrs. Carman's consultation with Mr. Levy. Justice Kelly said the evidence would later show whether the conversation was privileged against revelation to the jury.

Mrs. Jennie Duryee, Mrs. Bailey's mother, was the first witness called. She was wearing a black dress and a black hat. Her face was pale and her eyes were red. She looked over her face. Mr. Smith first asked her about her daughter's departure from the home in William street, Hempstead, at 8:30 o'clock on June 30.

**MOTHER OF VICTIM WEeps ON WITNESS STAND.**

Q. How was she dressed? A. She had on an accordion pleated skirt and a white waist.

Q. When did you see her again? A. I never saw her alive again.

Here Mrs. Duryee broke down and sobbed. Her black bordered handkerchief pressed to her eyes and lips. As she sobbed she drew from the table a blue serge dress with white trimmings and said it on the edge of the witness stand. It brushed Mrs. Duryee's elbow and she drew back from it as if the contact hurt her.

Q. Do you recognize this dress, Mrs. Duryee? A. Yes.

The aged woman in a voice so charged with pain and suffering that it was a sobbing wail, replied: "That's my daughter's dress. It was the dress she wore when she was killed."

The witness, who had been standing in the witness stand, stepped forward, covered her face with her hands and sobbed. The dress was marked in evidence and Mr. Smith lifted it down from the ledge.

"Mr. Smith asked as soon as Mrs. Duryee was calm."

"She was thirty-eight."

Q. What day of the week she left home—June 30? A. She had complained of not feeling well. She was not ill.

Harry Deban, a real estate man of Hempstead, said he was in Freeport on June 30 and saw Mrs. Bailey, who had been known to him for eight or ten years, in the Merrick road, near Grove street, at six minutes past 7 o'clock.

He thought she was waiting for a trolley car. She was about two hundred feet from the Carman house. At ten minutes past seven she walked toward the Carman house. Mr. Graham cross-examined the witness:

Q. You remember seeing her very vividly? A. I remember remarking it was the first time I ever saw her in Freeport in my life.

Q. You were so very much interested that you turned around and watched her after seeing her in Freeport for the first time in your life? Is that it? A. Yes, sir.

"That's all," snarled Mr. Graham. Mrs. Carman smiled at him with a little bow of sympathetic contempt for the answer.

George A. Fairfield, the next witness, who is called to the stand to identify the plane he had drawn for the District-Attorney of the grounds, house and rooms of the Carman residence.

The practical men of the jury, almost every one of them familiar with the use of plans and blue prints, were called to the stand to identify the plane he had drawn for the District-Attorney of the grounds, house and rooms of the Carman residence.

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Q. Was this lady in the waiting room when you went into the doctor's office? A. Yes.

Q. How were you invited into the office? A. The doctor came to the door and asked me whether I was next in turn to go in.

Q. How long were you in the doctor's office? A. About ten minutes.

Q. When did you leave the office? A. About 7:45.

Q. The woman in the dark clothing was still in the waiting room when you went out? A. Yes, she was.

By Mr. Graham—When the doctor came in he said to you: "Are you next?" A. Yes.

Q. Where was Mrs. Bailey sitting then? A. I was sitting at her right. She was the nearest person to the door by which he came in.

Q. Did he look at her? A. I couldn't see what he did.

Q. Who else was in the room? A. Mrs. Bailey and two men.

Q. This second man was a stranger to you? A. Yes.

Q. You've been around Freeport a good many years? Knew almost everybody? A. Yes.

Q. Did you see the man again? A. Yes.

Q. As you came out of the office the man got up? A. Yes.

Q. Where did he go? A. I couldn't say.

Q. When you left the lady in black (Mrs. Carman) always referred to this man (Bailey) as he still waiting? A. Yes.

Q. Did the doctor speak to the strange man or look at him? A. I didn't see.

Q. Where were you in the room did the strange man leave the room? A. I couldn't say.

Q. Didn't you hear the doctor speak to him? A. No.

Q. Did Mrs. Carman passing through the room speak to you or the lady in black? A. She didn't speak to me.

Q. And you have known her for twelve years? A. Yes.

Coroner Norton was then sworn. It was he who first held Mrs. Carman in the murder case. Mr. Smith asked him when he first received the message announcing the shooting of Mrs. Bailey.

Q. About 8:30 o'clock on the night of June 30.

Q. You went at once to the Carman house? A. I did and found that a woman had been shot in the doctor's office. She was lying on a couch in the office.

Q. Did you ascertain who the woman was? A. Mrs. Lulu Bailey.

Q. Was she alive or dead? A. Dead.

Q. Was Dr. Carman there? A. I think he came in after I arrived.

Q. What did he do? A. Aided me in examining the body and in locating what seemed to be a bullet under the right breast. He then called me out. I took it into my possession and kept it until I turned it over to the District-Attorney.

Q. Did you mark it in any way? A. I put a small cross at the base.

Mr. Smith handed the witness a bullet and asked the Coroner if he had seen it before.

"That is the bullet which Dr. Runcle removed from the body of Mrs. Lulu Bailey," was the reply. Norton handed the bullet to the District-Attorney, who wrapped it in a bit of absorbent cotton. It was marked in evidence.

While the rifle was in the Coroner's fingers everybody in the room, except Mr. Smith, strained and shifted to get a look. The accused woman sat back and looked at the Coroner with mild smile of courteous attention to the proceedings in which she felt she ought to show some interest.

Mrs. Carman annoyed by the spectators.

The stirring about of the spectators annoyed her. She frowned as though she felt everybody was being impolite to the justice, the District-Attorney, the witness, or whoever was the person entitled to the centre of the stage at the moment. It is impossible for observers to get away from an impression of this front-row-at-a-party attitude of the defendant.

The witness was then questioned about the inspection he had made of the shattered window of the doctor's office. Mr. Smith read from Norton's testimony delivered before the Grand Jury. Mr. Graham objected again, holding that there was nothing to show that Norton's memory needed such refreshing.

Mrs. Carman's counsel took up the cross-examination.

Q. You committed Mrs. Carman, Mr. Norton, upon a deposition made to you by a witness? A. Yes.

Q. Did you file that deposition? A. I did not get it back from the District-Attorney's office.

Q. And then I went back into the house and into the doctor's office.

Goldner said that when he went into the office Mrs. Bailey's body was lying on the floor in the southwest corner. Dr. Carman stood some distance away. He went out and examined the window through which the shot was fired. The wire screen was propped out so far that the witness could stand under it without removing his narrow brimmed straw hat.

By Mr. Graham—How many persons were in the waiting room when you heard the glass of the window breaking? A. Four: two men and two ladies. Mr. Post was next to me. There was a lady near the portieres toward the office entrance and one on the other side of the room.

Q. Did you see any medicine after the shooting? A. Yes, after Mrs. Bailey was put on the couch.

Q. Are you sure no telephone message was sent by Dr. Carman while you were there? A. Yes, sure.

Q. Did any one in the house send a telephone message? A. Nobody telephoned while I was there.

Q. Did you hear any voice cry "Stop playing"? A. Yes.

Q. See the little girl? A. Yes; saw her. She was going both ways after the playing stopped.

By Mr. Graham—How long before the shooting was it you saw any person pass the portieres? A. About two minutes.

Q. How was that person dressed? A. All in white, going toward the kitchen.

Q. See that person pass back in the other direction? A. Yes.

Q. Didn't you say to the Coroner that this person passed at least five minutes before the shooting? A. I may have. That was a long time ago.

Q. After the shot was fired who got first? A. Post, I think.

The witness told of helping place Mrs. Bailey's body on the couch. He thought he was the first person to see the broken window from the outside.

When Goldner was called to the stand Mrs. Carman regarded him rather apathetically as he walked to the chair, and as soon as he began relating what he had seen in the Carman house she leaned forward in her chair, resting her chin in her palm, turning an upturning gaze upon the witness. She was more interested than at any other time during the trial.

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Q. What did you do when you heard the shot? A. I went out of the office and looked in three directions.

Q. Did you see any one? A. No, and then I went back into the house and into the doctor's office.

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